

# COMMITTEE REPORT

## MADAM PRESIDENT:

**The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 159, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:**

- 1       Page 1, delete lines 1 through 17.
- 2       Delete pages 2 through 7.
- 3       Page 8, delete lines 1 through 7.
- 4       Page 8, line 15, delete "the person" and insert **"a person with a**
- 5       **primary business purpose of entering into health care contracts**
- 6       **with providers."**
- 7       Page 8, delete line 16.
- 8       Page 8, line 19, after "Sec. 4." insert **"(a)"**.
- 9       Page 8, between lines 28 and 29, begin a new paragraph and insert:
- 10      **"(b) The term does not include the following:**
- 11          **(1) Accident-only, credit, Medicare supplement, long term**
- 12          **care, or disability income insurance.**
- 13          **(2) Coverage issued as a supplement to liability insurance.**
- 14          **(3) Worker's compensation or similar insurance.**
- 15          **(4) Automobile medical payment insurance.**
- 16          **(5) A specified disease policy issued as an individual policy.**
- 17          **(6) A short term insurance plan that:**
- 18              **(A) may not be renewed; and**
- 19              **(B) has a duration of not more than six (6) months.**
- 20          **(7) A policy that provides a stipulated daily, weekly, or**
- 21          **monthly payment to an insured during hospital confinement,**

without regard to the actual expense of the confinement.".

Page 8, delete lines 36 through 42, begin a new paragraph and insert:

**"Sec. 6. A contractor may not lease, rent, or otherwise grant access to a provider's health care services under a health care contract unless the contractor complies with one (1) of the following:**

**(1) The third party to which the access is granted is:**

**(A) an employer or another entity providing coverage for health care services to the employer's or entity's employees or members and the entity has a contract with the contractor or the contractor's affiliate for the administration or processing of claims for payment or service provided under the health care contract; or**

**(B) an affiliate or a subsidiary of the contractor or providing administrative services to or receiving administrative services from the contractor or the contractor's affiliate or subsidiary.**

**(2) The:**

**(A) health care contract specifically states that the contractor may lease, rent, or otherwise grant access to the provider's health care services under the contract;**

**(B) party accessing the contract is:**

**(i) a payer or third party administrator or another entity that administers claims on behalf of the payer;**

**(ii) a preferred provider organization or preferred provider network, including a physician-hospital organization; or**

**(iii) an entity engaged in the electronic claims transport between the contractor and the payer; and**

**(C) entity that is granted access to the provider's health care services under the health care contract is obligated to comply with all the applicable terms of the contract.**

**Sec. 7. A contractor that leases, rents, or otherwise grants access to a provider's health care services as described in section 6(2) of this chapter shall maintain an Internet web page or a toll free telephone number through which the provider may obtain a listing, updated at least semiannually, of the entities to which access to the**

- 1 provider's health care services has been granted.
- 2 `Sec. 8. A contractor that rents, leases, or otherwise grants
- 3 access to a provider's health care services under section 6(1) or
- 4 6(2) of this chapter shall ensure that an explanation of benefits or
- 5 remittance advice furnished to the provider that delivers health
- 6 care services under the health care contract identifies the
- 7 contractual source of any discount that applies.
- 8 Sec. 9. Subject to applicable continuity of care requirements, a
- 9 third party's right to exercise a contractor's rights and
- 10 responsibilities under a health care contract terminates on the date
- 11 that the health care contract is terminated.
- 12 Sec. 10. A health care contract may provide for arbitration of
- 13 disputes arising under this chapter."
- 14 Delete page 9.
- 15 Page 10, delete lines 1 through 13.
- 16 Page 10, line 16, delete "or a third party agreement (as defined in".
- 17 Page 10, line 17, delete "IC 27-1-37.3-6)".
- 18 Renumber all SECTIONS consecutively.
- (Reference is to SB 159 as introduced.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 11, Nays 0.

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**Miller**

**Chairperson**